

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DAVID LEIBOWITZ, BENJAMIN  
LEIBOWITZ, JASON LEIBOWITZ, AARON  
LEIBOWITZ, and PINCHAS GOLDSHTEIN,

Plaintiffs,

v.

IFINEX INC., BFXNA INC., BFXWW INC.,  
TETHER HOLDINGS LIMITED, TETHER  
OPERATIONS LIMITED, TETHER LIMITED,  
TETHER INTERNATIONAL LIMITED,  
DIGFINEX INC., PHILIP G. POTTER,  
GIANCARLO DEVASINI, LUDOVICUS JAN  
VAN DER VELDE, REGINALD FOWLER,  
CRYPTO CAPITAL CORP., and GLOBAL  
TRADE SOLUTIONS AG,

Defendants.

**Affirmation in Support of  
Request for Certificate of  
Default**

Case No. 1:19-cv-09236

I, Joseph M. Delich, hereby declare as follows:

1. I am counsel for Plaintiffs in this action.
2. This action was commenced on October 6, 2019, pursuant to the Commodities Exchange Act, 7 U.S.C. § 1, et seq., the Sherman and Clayton Antitrust Acts, 15 U.S.C. §§ 2, 15 & 26, and RICO, 18 U.S.C. § 1962.
3. The time for defendant, Reginald Fowler, to answer or otherwise move with respect to the complaint herein has expired.
4. Defendant, Reginald Fowler, has not answered or otherwise moved with respect to the complaint, and the time for defendant Reginald Fowler to answer or otherwise move has not been extended.

5. That defendant Reginald Fowler is not an infant or incompetent. Defendant Reginald Fowler is not presently in the military service of the United States as appears from facts in this litigation.

WHEREFORE, Plaintiffs request that the default of defendant Reginald Fowler be noted and a certificate of default issued.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief, that the amount claimed is justly due to plaintiff, and that no part thereof has been paid.

Dated: December 3, 2019

Respectfully,

**ROCHE FREEDMAN LLP**

/s/ Joseph M. Delich

Joseph M. Delich  
Kyle W. Roche  
185 Wythe Avenue F2  
Brooklyn, New York 11249  
t: (929) 457-0057  
t: (929) 457-0050  
[jdelich@rochefreedman.com](mailto:jdelich@rochefreedman.com)  
[kyle@rochefreedman.com](mailto:kyle@rochefreedman.com)

Devin (Velvel) Freedman  
200 South Biscayne Blvd. Ste. 5500  
Miami, Florida 33131  
t: (305) 357-3861  
[vel@rochefreedman.com](mailto:vel@rochefreedman.com)  
*Counsel for Plaintiffs*

cc: Counsel of Record (by ECF)